

**State Board of Registration for Land Surveyors
Indiana Government Center South
402 West Washington Street, Conference Center Room 5
Indianapolis, Indiana 46201
Minutes of the July 8, 2011 Board Meeting**

Gary Kent, Acting Chairperson, called the meeting to order at 8:30 a.m. and declared a quorum in accordance with IC 25-4.

Members Present: Ross Holloway
Richard Hudson
Gary Kent, Board Liaison
Doug Lechner
John Stephens

State Officials Present: Christina Wiseley
Board Director, Indiana Professional Licensing Agency
Crystal Heard
Assistant Board Director, Indiana Professional Licensing Agency
Gordon White
Deputy Attorney General, Office of the Attorney General

Board Action: The Board voted to adopt the agenda.
Participating Board Members: Holloway, Hudson, Kent, Lechner, Stephens

Motion carried Lechner/Hudson 5-0-0

Board Action: The Board voted to adopt the minutes of the April 8, 2011 meeting.

Motion carried Lechner/Stephens 5-0-0

Board Action: The board moved to approve the following recommendations and decisions made by the board members on Land Surveyor and Surveyor-in-Training applications that were reviewed throughout the Board meeting:

Land Surveyors:

Clayton Baylor (exam) - DENIED
Anthony Bianchin (comity) - DENIED
Royce Jones (comity) - DENIED
Kevin Navaroli (comity) - APPROVED
Louis Oswald (comity) - APPROVED
Dennis Cummins (exam) - DENIED
Adam Christenberry (exam) - APPROVED
Gregory Vaughn (comity) - APPROVED
William Teaderman (comity) - APPROVED
Eric Meeks (exam) - APPROVED
Brandon Parker (exam) - APPROVED
Seth Johnson (exam) - APPROVED
Matthew Thomas (exam) - APPROVED

Travis McCarty (comity) - DENIED
David Nepper (comity) - APPROVED
Joseph Crouch (comity) - APPROVED

Land Surveyors-in-Training:

Michael Lewandowski - DENIED
Andrew Barkocy - DENIED
Eric Meeks - APPROVED
Bradley Kleaving - APPROVED
Eric Rothgerber - APPROVED
Seth Johnson - APPROVED
David Thomas - DENIED

Motion carried Hudson/Lechner 5-0-0

Board Liaison Report

The Board's liaison, Gary Kent, reported that some complaints have been filed with the AG's Office. He has reviewed them and determined that they have merit. Mr. Kent asked the AG's office to process the complaints.

ADMINISTRATIVE HEARINGS

The court reporter for all hearings held on July 8, 2011 was Sherri Rutledge.

In the Matter of the License Application of Michelle Watts Cause No. SBRLS 11-02

Petitioner appeared in person without counsel and chose to proceed. Petitioner indicated that she believed she chose the best answer to the question she challenged on the examination. She presented information from a surveyor resource book indicating why she chose the answer that she did. After discussion, the petitioner indicated that she believed the question was poorly worded. The board decided that they wanted to review the number of correct and incorrect responses from the test pool of the petitioner. It was determined that the test was taken by seventeen examinees, including the petitioner. Of the seventeen examinees, thirteen answered the question correctly and four answered the question incorrectly. The board concluded that the question was a valid question and that the petitioner's response to the question challenged could not be considered correct in any circumstance.

Participating Board Members: Holloway, Hudson, Kent, Lechner, Stephens

Board Action: After hearing all testimony from the petitioner and taking the exam question into consideration, the board moved to deny the petition.

Motion carried Hudson/Holloway 5-0-0

In the Matter of the License of Zohrab Tazian Cause No. SBRLS 01-03

Petitioner appeared with counsel, Joseph Christoff. Natalie Stidd represented State of Indiana. Petitioner presented evidence that he had complied with all terms of his probation and that he could practice competently without supervision. An affidavit from John Sauer indicating petitioner's improvement in surveying was entered into evidence as exhibit A by the petitioner's attorney.

Participating Board Members: Holloway, Hudson, Kent, Lechner, Stephens

Board Action: After taking official notice of its file in the matter, the Board moved to withdraw probation from the petitioner's license.

Motion carried Stephens/Lechner 5-0-0

In the Matter of the License of Eugene Farrow Cause No. SBRLS 07-37

Natalie Stidd represented the State of Indiana. The Respondent was not present in person or by counsel. The State requested that the board find the respondent in default.

Board Action: The Board moved to find the respondent in default.

Motion carried Lechner/Holloway 5-0-0

The State of Indiana then presented evidence as follows:

Exhibit A: McDaniel to McClintock Property Survey

Exhibit B: Pottschmidt to Hall Property Survey

Exhibit C: Hays Property Survey

Exhibit D: Proposed Brock to Kroman Property Survey

State requested that the board find respondent in violation of counts 8, 9, 29, and 31 in all exhibits and to suspend his license with the terms that he must make a personal appearance to have his license reinstated from suspension; probation to follow with probationary terms that the board deems appropriate, and to pay costs.

Board Action: The Board moved that respondent has violated the standards of practice act with surveys.

Motion carried Holloway/Stephens 5-0-0

Board Action: The Board moved to suspend respondent's license indefinitely and to pay costs.

Motion carried Holloway/Lechner 5-0-0

In the Matter of the License of William M. Stine Cause No. SBRLS 07-40

Natalie Stidd represented the State of Indiana. The Respondent was not present in person or by counsel.

Board Action: After taking official notice of its file in this matter, the Board moved to deny the respondent's motion for continuance, to find respondent in default, and to reject the proposed findings of fact, conclusions of law, and order.

Motion carried Lechner/Holloway 5-0-0

PROBATIONARY REPORTS

Zohrab Tazian (Stephens)- Did not appear. Probationary status was lifted at hearing.

J. Bernard Feeney (Holloway)- Mr. Holloway reported that Mr. Feeney has only been submitting statements that he has not been doing any surveys.

Michael Sadlon (Stephens)- Mr. Stephens indicated that Mr. Sadlon's submissions have been surveyor location reports only.

Steve Williams (Stephens)- Mr. Williams made a personal appearance before the Board on today's date. He discussed with the board the John Lieland Trust survey that was performed on his probationary license. Gary Kent had only a few comments, related to a legend, better description of the monuments in his description, and reference to a basis of bearings. Generally he was pleased with the survey and that the mentor is taking this very seriously.

William Pettitt (Lechner) – Mr. Pettitt made a personal appearance before the Board on today's date. Mr. Lechner indicated that he was disappointed with Mr. Pettitt's mentor due to the mentor's failure to correct several errors on surveys performed by Mr. Pettitt. Gary Kent suggested that Mr. Pettitt and Mr. Lechner, via conference call, speak with Mr. Pettitt's mentor to discuss the issues in the surveys. Mr. Lechner concurred and indicated that he will set up a conference call to speak with the mentor about the deficiencies.

PROPOSED SETTLEMENT

The board considered the proposed settlement agreement between Mr. William M. Stine and the Office of the Attorney General. The board determined that the settlement did not adequately sanction the respondent.

Board Action: The board moved to deny the proposed findings of fact, conclusions of law, and order.

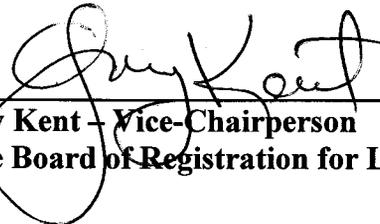
Motion Carried Hudson/Lechner 5-0-0

DISCUSSION ITEMS

As a continuation of the discussion from the April 8, 2011 meeting, Gary Kent reported that information packets regarding the requirements of a four (4) year degree to obtain licensure in Indiana as a land surveyor were distributed to several schools and stakeholders, including licensees and associations.

At the request of Crystal Heard, the board discussed changing the 2012 January and July board meeting dates to a later date to provide examination applicants adequate time to submit a completed application prior to the board meeting, thus allowing them to sit for the earliest examination possible. The board determined that the meeting scheduled for January 13, 2012 will be rescheduled for February 3, 2012 and that the meeting scheduled for July 13, 2012 will be rescheduled for July 20, 2012.

There being no further business and having completed its duties, the meeting of the State Board of Registration for Land Surveyors adjourned at 1:02 p.m.



Gary Kent - Vice-Chairperson
State Board of Registration for Land Surveyors

10/14/11

Date